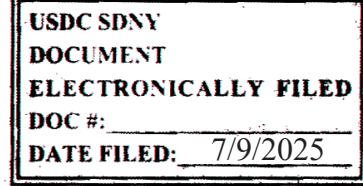


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

**In re:****03-MD-01570 (GBD)(SN)**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**ORDER**

X

**SARAH NETBURN, United States Magistrate Judge:**

This document relates to:

Estate of O'Neill v. Al Baraka Investment and Development Corporation,  
No. 04-cv-01923 (GBD)(SN)  
Lopez v. Islamic Republic of Iran, No. 23-cv-08305 (GBD)(SN)

On September 30, 2024, counsel for plaintiffs Michael Reynolds and Justin Rodriguez moved to withdraw as counsel and asked the Court to permit Mr. Reynolds and Mr. Rodriguez to proceed *pro se*. ECF No. 10402. On October 7, 2024, the Court denied the motion without prejudice and directed Mr. Reynolds and Mr. Rodriguez to file notices of *pro se* appearance, consenting to electronic service, or retain new counsel. ECF No. 10410. The Court informed Mr. Reynolds and Mr. Rodriguez of the resources this District provides *pro se* litigants to facilitate their future filings. Id.

On November 20, 2024, awaiting action from Mr. Reynolds and Mr. Rodriguez, the Court reiterated that if they wished “to prosecute their claims, they must either be represented by counsel or file a notice of *pro se* appearance and consent to electronic service.” ECF No. 10546. The Court warned that the “Plaintiffs must comply with this order or risk dismissal of their claims pursuant Federal Rule of Civil Procedure 41(b).” Id. Mr. Rodriguez followed the Court’s

instructions and, on January 16, 2025, his notice of *pro se* appearance consenting to electronic service was filed on the docket. ECF No. 10669.

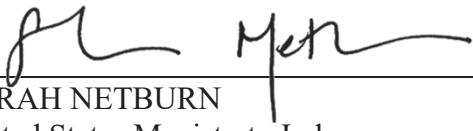
Now, counsel for Mr. Reynolds and Mr. Rodriguez moves separately to (1) withdraw as counsel for Mr. Rodriguez and allow him to proceed *pro se*; and (2) dismiss without prejudice the claims filed on behalf of Mr. Reynolds. ECF Nos. 11057 (motion to withdraw); 11053 (motion to dismiss). As part of their motion to dismiss Mr. Reynolds's claims, counsel has averred that they have reached out to Mr. Reynolds every month since their initial motion to withdraw, to no avail. ECF No. 11054. They have also mailed Mr. Reynolds a copy of their motion papers, which was delivered on June 26, 2025. *Id.*; ECF No. 11054-1 (confirming delivery).

### **CONCLUSION**

The Court GRANTS both motions. Since Mr. Rodriguez properly filed his notice of *pro se* appearance on the docket and consented to electronic service, he may proceed *pro se*. The Clerk of Court is directed to note Justin Rodriguez's *pro se* appearance on the docket. Because of the volume of filings in this case, however, the Clerk of Court should not designate this case as PRO SE. By contrast, Michael Reynolds has not filed a *pro se* notice of appearance despite repeated court orders. Accordingly, the claims filed on his behalf are dismissed without prejudice, provided however, that, within 30 days of this Order, he may file a request that his claims be reinstated and that he be allowed to proceed *pro se* (or with new counsel), in which case his claims will be reinstated.

The Clerk of the Court is respectfully directed to terminate the motions at ECF Nos. 11053 and 11057 in 03-md-01570; 956 and 960 in 04-cv-01923; and 72 and 76 in 23-cv-08305.

**SO ORDERED.**

  
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SARAH NETBURN  
United States Magistrate Judge

DATED: July 9, 2025  
New York, New York